

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906**

**ORDER NO. R3-2006-0063  
NPDES NO. CAG993001**

**WASTE DISCHARGE REQUIREMENTS  
GENERAL PERMIT  
For  
DISCHARGES WITH LOW THREAT TO WATER QUALITY**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Central Coast Water Board), finds:

1. **Purpose of Order** - This Region-wide General NPDES Permit for Discharges With Low Threat to Water Quality (General Permit) authorizes the discharge of wastes meeting the criteria specified in Finding 2 of this General Permit to waters of the United States by any person, partnership, firm, corporation, association, trust estate, or any other legal entity (hereafter Discharger). Low threat discharges are discharges containing minimal amounts of pollutants and pose little or no threat to water quality and the environment.
  - b. The discharge does not include water added for the purpose of diluting pollutant concentrations.
  - c. Pollutant concentrations in the discharge will not cause or contribute to degradation of water quality or impair beneficial uses of receiving waters.
  - d. Pollutant concentrations in the discharge shall not exceed the water quality criteria for toxic pollutants (Attachment D and Part C of this Order)
  - e. The discharge shall not cause acute or chronic toxicity in receiving waters.
  - f. The discharger shall demonstrate the ability to comply with the requirements of this General Permit.
2. **Enrollment Criteria** - To be authorized by this General Permit, discharges must meet the following criteria:
  - a. Pollutant concentrations in the discharge do not (a) cause, (b) have a reasonable potential to cause, or (c) contribute to an excursion above any applicable water quality objectives, including prohibitions of discharge.
3. **Examples of Low Threat Discharges to Inland Surface Waters, Enclosed Bays, and**

**Estuaries** - The following are examples of categories of low threat discharges to inland surface waters, enclosed bays, and estuaries of California that may be authorized by this General Permit, provided discharges meet the criteria specified in Finding 2. This is not a complete list of discharges eligible for consideration of coverage under this General Permit:

- a. Discharges associated with water supply well installation, development, test pumping and purging;
- b. Discharges resulting from the maintenance of uncontaminated water supply wells, pipelines, tanks, etc.;
- c. Discharges resulting from hydrostatic testing of water supply vessels, pipelines, tanks, etc.;
- d. Discharges resulting from the disinfection of water supply pipelines, tanks, reservoirs, etc.;
- e. Discharges from water supply systems resulting from system failures, pressure releases, etc.;
- f. Discharges from fire hydrant testing or flushing;
- g. Commercial cooling tower water;
- h. Evaporative condensate;
- i. Swimming and landscape pool drainage; and

- j. Other low-threat discharges not covered by: the Construction Activities Storm Water General Permit (construction storm water permit, which covers all sites that disturb at least 1 acre of soil or whose projects are part of a larger common plan of development that in total disturbs one or more acres); Industrial Activities Storm Water General Permit, Caltrans Statewide General Permit (industrial storm water permit) or Statewide General NPDES Permit for Discharges from Utility Vaults and Underground Structures. All discharges subject to these statewide permits are ineligible for coverage under this General Permit.
- k. Other similar types of wastes that pose a low threat to water quality yet require a NPDES permit.

The Environmental Protection Agency and State Water Resources Control Board (State Water Board) classify these discharges as minor discharges. These discharges may be treated and discharged on either a continuous or a batch basis. For discharges from construction sites smaller than one acre that are part of a larger common plan of development or that may cause significant water quality impacts, dischargers must seek coverage under the construction storm water permit or an individual NPDES permit.

**4. Examples of Low Threat Discharges to Ocean Waters** – In addition to those listed in Finding No.

3, the following examples of categories of low threat discharges to ocean waters of California that may be authorized by this General Permit, provided discharges meet the criteria specified in Finding 2. This is not a complete list of discharges eligible for consideration of coverage under this General Permit:

- a. Brine from small desalination facilities;
  - b. Discharge of seafood processing wash water; and
  - c. Discharge of treated bilge water from small watercraft.
5. Discharges with low threat to water quality generally have low flows. For continuous discharges, the following guidelines generally define low flows:

**Table 1**  
**Low Threat Continuous Discharge Guidelines**

Type of Continuous Discharge	Maximum Daily Flow (MGD)
Cooling Water	0.1
Evaporative Condensate	0.1
Desalination Brine	0.05
Other Low Threat Discharges	0.05

6. For intermittent or one time discharges, the following guidelines generally define low threat discharges with low flow volumes:

**Table 2**  
**Low Threat Intermittent Discharge Guidelines**

Type of Intermittent or One-Time Discharge	Max Daily Flow (MGD)	Duration
Supply well installation, development, test pumping and purging	0.25	1 Month
Maintenance, hydrostatic testing, disinfection, and pressure releases from water supply wells, pipelines, tanks, reservoirs, etc.	0.25	3 Months
Fire hydrant testing or flushing	0.25	2 Months
Landscape and Swimming Pool Water	0.025	1 Month
Hydrostatic Tank and Pipe Test Water	0.25	3 Months
Construction Dewatering for sites less than 1-acre and are not part of a larger common construction plan	0.1	1 Year
Other Low Threat Discharges	0.05	6 Months

7. Discharges with low threat to water quality include State Implementation Policy discharges that qualify for Categorical Exceptions which include discharges associated with resource or pest management (i.e., vector or weed control, pest eradication, or fishery management) conducted by public entities or mutual water companies to fulfill statutory requirements, including, but not limited to, those in the California Fish

and Game, Food and Agriculture, Health and Safety, and Harbors and Navigation codes; or associated with drinking water conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety code.

8. This General Permit meets the requirements of 40 CFR 122.28(a)(2)(ii). The categories of waste discharge permitted under this order:

- a. Involve similar threats to water quality;
- b. Discharge similar type of wastes;
- c. Require similar effluent limitations;
- d. Require similar monitoring; and
- e. Are more appropriately controlled under a general permit than individual permits.

9. **Benefits of a General Permit** – To date, 78 dischargers have been authorized to discharge wastewater under the General Permit and 47 dischargers are still actively enrolled. Many of these authorized dischargers will wish to continue their coverage under the General Permit. Approximately eight to ten new applications for coverage under the General Permit are received each year. Streamlining the permitting process through this General Permit has resulted in the appropriate regulation of many low threat wastewater discharges. Renewal of this General Permit is necessary for the appropriate regulation of multiple

low threat wastewater discharges in the Central Coast Region.

The Central Coast Water Board may determine that a waste discharge eligible for authorization by this General Permit is more appropriately regulated under an individual NPDES permit, another general NPDES permit, or waste discharge requirements (WDRs). If an individual NPDES permit, or another general NPDES Permit or WDRs is issued for a discharge, applicability of this General Permit for the discharge is immediately terminated on the effective date of the alternative permit.

Changes to this General Permit, including the required State Implementation Policy monitoring, are applicable to Dischargers currently enrolled under the General Permit.

10. Special circumstances allow enrollees the benefit of submitting a single application for multiple qualifying low threat discharges within a specific groundwater basin or receiving water body. Subsequent new discharges from the same sources or discharges into the same groundwater basin or receiving water body may be added to the existing low threat permit at a future date by submitting a notice of intent (NOI) that indicates an "Additional Discharge to Existing Low Threat to Water Quality General Permit" and provide the required information as stated in Section A, below.

**RECEIVING WATER BENEFICIAL USES**

11. **Surface Waters** - Existing and potential beneficial uses of surface waters in the Central Coast Region may include:

- a. Municipal and domestic supply;
- b. Agricultural supply;
- c. Industrial process and service supply;
- d. Ground water recharge;
- e. Freshwater replenishment;
- f. Navigation;
- g. Hydropower generation;
- h. Water contact recreation;
- i. Non-contact water recreation;
- j. Commercial and sport fishing;
- k. Aquaculture;
- l. Cold and warm fresh water habitat;
- m. Inland saline water habitat;
- n. Estuarine habitat;
- o. Marine habitat;
- p. Wildlife habitat;
- q. Preservation of biological habitats of special significance;
- r. Rare, threatened or endangered species;
- s. Migration of aquatic organisms;
- t. Spawning, reproduction and/or early development;
- u. Shellfish harvesting; and
- v. Areas of special biological significance.

12. **Ground Water** - Many surface waters within the region recharge underlying ground water basins. The existing and potential beneficial uses of ground water within the Central Coast Region include:

- a. Municipal and domestic supply;

- b. Agricultural supply;
- c. Industrial process and service supply.

**SOURCES OF REQUIREMENTS**

13. **Basin Plan** - The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was adopted by the Central Coast Water Board on September 8, 1994. The Basin Plan incorporates State Board plans and policies by reference and contains a strategy for protecting beneficial uses of surface and ground waters throughout the Region.

14. **Ocean Plan**: The State Water Board adopted the first "Water Quality Control Plan, Ocean Waters of California-California Ocean Plan" (Ocean Plan) in 1972 and have subsequently amended it in 1978, 1983, 1988, 1990, 1997, 2001, and 2005. The Ocean Plan contains water quality objectives and other requirements governing discharge to the Pacific Ocean.

15. Effluent limitations and toxic effluent standards established pursuant to Sections 301, 302, 304, and 307 of the Clean Water Act (CWA) and amendments thereto are applicable to these discharges.

16. Federal regulations require effluent limitations for all pollutants that are or may be discharged at a concentration causing or having reasonable potential to cause, or contribute to in-stream excursions above narrative or numerical water quality standards.

**17. National Toxics Rule and California Toxics Rule.** On December 22, 1992 and May 18, 2000, U.S. EPA adopted the National Toxics Rule and the California Toxics Rule, respectively. These toxic rule regulations are codified in 40 CFR section 131.36 and section 131.38 respectively, and establish numeric criteria for priority toxic pollutants for California's inland surface waters, enclosed bays, and estuaries.

**18. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the State Implementation Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California. The State Implementation Policy establishes procedures to implement National Toxics Rule and California Toxics Rule water quality criteria as well as water quality objectives contained in the Basin Plan. The State Implementation Policy requires dischargers to submit sufficient data to determine the need for water quality-based effluent limits and establishes procedures for determining that need, and for calculating these effluent limits, when necessary.

In accordance with the methodology of the State Implementation Policy, the most stringent applicable water quality-based effluent limits and criteria contained in the Basin Plan, the National Toxics Rule, and the California Toxics Rule, were compared to determine the effluent limit for toxic pollutants.

The State Implementation Policy requires periodic monitoring of priority pollutants for which no effluent limitations have been established. However, low-volume discharges are exempt from this monitoring requirement because the discharge is determined to have no significant adverse impact on water quality.

## REGULATORY CONSIDERATIONS

- 19. Total Maximum Daily Load (TMDL)** – The Central Coast Water Board is currently developing and implementing TMDL's for many impaired water bodies in the Central Coast Region. Enrollees under this General Permit that discharge to these impaired water bodies may be required to collect discharge monitoring data applicable to developing appropriate future waste load allocations for the discharge.
- 20. California Environmental Quality Act** - The action to renew this General Permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), under California Code of Regulations, Title 14, Section 15301, since the renewal of the General Permit involves no expansion of the types of facilities covered under Order No. 01-119, and no relaxation of any applicable requirements. The action to renew this General Permit is also exempt from the provisions of Chapter 3 of the California Environmental Quality Act in accordance with Section 13389 of the

California Water Code. Finally, the renewal of this permit for existing and new low-threat discharges is exempt from CEQA in accordance with California Code of Regulations, Title 14, Section 15061(b)(3) which states that CEQA only applies to projects which have the potential for causing adverse environmental effects.

The State Implementation Policy authorizes the RWQCB to grant Categorical Exceptions from meeting the priority pollutant criteria/objectives, if determined to be necessary to implement control measures regarding drinking water conducted to fulfill statutory requirements under the Safe drinking water Act or California Health and Safety Code. Generally, discharges of potable water are done to fulfill California Department of Health and Safety statutory requirements, and to ensure steady and safe drinking water supply to end-users. The potable water discharges under this permit are mostly intermittent, short duration, high flow discharges that comply with California Department of Health and Safety maximum contaminant levels, for protection of human health. Therefore, potable well discharges as qualified under this permit have been determined to pose no significant threat to water quality and meet the conditions for categorical exception under State Implementation Policy. The Central Coast Water Board actions on issuing this permit for existing and new potable water discharges, and on the exceptions is exempt from CEQA in accordance with California Code of Regulations, Title 14, Section 15061

(b)(3) which states that CEQA only applies to projects which have the potential for causing adverse environmental effects.

To satisfy the Categorical Exception requirements of section 5.3 of the State Implementation Policy, dischargers seeking enrollment under this general permit will be required to submit project-specific information to the Executive Officer on the discharge and its water quality effects. The information required by the State Implementation Policy includes is presented in section A.2 Application Requirements.

**21. Mandatory Minimum Penalties -**

The Porter-Cologne Water Quality Control Act imposes mandatory minimum penalties for certain violations of this NPDES permit. California Water Code sections 13385 and 13385.1 require the Water Board to impose mandatory minimum penalties of \$3,000 for each "serious violation" and for certain violations occurring four or more times in any period of six consecutive months. Violations of numeric or numerically expressed effluent limits, certain toxicity limitations, and certain reporting violations, are subject to mandatory minimum penalties.

**22. Anti-Backsliding -** 40 CFR Section

122.44(l) requires effluent limitations for reissued NPDES permits be at least as stringent as the previous permit, unless certain grounds for "backsliding" apply. All changes to the effluent limitations in the proposed Order were made in

accordance with anti-backsliding provisions.

23. **Anti-Degradation** – The Central Coast Water Board has considered antidegradation pursuant to 40 CFR Section 131.12 and State Board Resolution No. 68-16, and finds that these low-threat discharges are consistent with those provisions.

24. **Water Code Section 13241.** This Order contains restrictions on individual pollutants that are not less stringent than required by the federal Clean Water Act. Collectively, this Order's restrictions on individual pollutants are not less stringent than required to implement the technology-based requirements of the Clean Water Act and the applicable water quality standards for purposes of the Clean Water Act. This Order also contains Ground Water Limitations (Section E) and Solid Waste Disposal requirements (Section F). These provisions are necessary to comply with applicable law. The Board has considered the finds that none of factors set forth in Water Code Section 13241 justify failure to comply with existing legal requirements.

## GENERAL FINDINGS

25. **Monitoring and Reporting** – Monitoring and Reporting Program (MRP) No. R3-2006-0063 is part of this Order. The MRP requires routine effluent and receiving water monitoring to verify compliance with this Order and protection of water quality.

26. **Annual Fee** - The Threat to Water Quality and Complexity rating for this General Permit is III-C. The annual fee associated with this permit is based upon this rating and subject to change. Therefore, applicants should contact the Water Board for the current fee.

27. A permit and the privilege to discharge waste into waters of the State is conditional upon the discharge complying with provisions of Division 7 of the California Water Code and of the Clean Water Act (as amended or as supplemented by implementing guidelines and regulations) and with any more stringent effluent limitations necessary to implement water quality control plans, protect beneficial uses, and prevent nuisance. This Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Clean Water Act. Compliance with this Order should assure the aforementioned conditions are met and prevent any potential changes in water quality due to the discharge.

28. **Public Notice** - On September 16, 2006, the Board notified the public and interested agencies of its intent to issue general waste discharge requirements for low threat discharges, provided them with an opportunity to submit their written views and recommendations, and scheduled a public hearing.

29. **Public Hearing** - In a public hearing on December 1, 2006, the Board heard and considered all comments



pertaining to the General Permit and found this Order consistent with the above findings.

**IT IS HEREBY ORDERED**, pursuant to authority in Sections 13263 and 13377 of the California Water Code, all Dischargers shall comply with the following:

All technical and monitoring reports submitted pursuant to this Order are required pursuant to Sections 13267 and 13383 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Central Coast Water Board Executive Officer, may subject the Discharger to enforcement action pursuant to Sections 13268 and 13385 of the California Water Code.

Throughout these requirements, footnotes are listed to indicate the source of requirements specified. Requirement footnotes are as follows:

- A = 1994 Central Coast Region Water Quality Control Plan (Basin Plan)
- B = 40 CFR 122
- C = 2005 Ocean Plan
- D = 2005 Policy for Implementation of Toxics Standard for Inland Surface Waters, Enclosed Bays, and Estuaries of California

Requirements not referenced are based on staff's best professional judgment.

## **A. APPLICATION REQUIREMENTS**

1. Dischargers satisfying the following criteria and criteria stated in Finding No. 2 of this Order are eligible for authorization to discharge by this General Permit, provided:
  - a. The Discharger submits a complete Notice of Intent (NOI) (Attachment A) and appropriate first annual fee for each discharge.
  - b. The Discharger submits the following:
    1. A list of chemicals (including Material Safety Data Sheets) added to the water and the concentration of such additives in the discharged effluent.
    2. Unless the discharge meets all requirements for a conditional exception (State Implementation Policy Section 5.3) the Discharger must provide certified analytical results of the effluent for the priority pollutants as listed in Attachment D. These analyses are required to fulfill the requirements set forth in the California Toxics Rule to evaluate the potential for water quality degradation and to establish effluent limits.
    3. In addition to the requirements of (1) and (2) above, discharges to inland surface waters, enclosed bays, and estuaries must submit certified analytical results of a representative sample of the effluent for the following: **Total Chlorine, pH, Nitrate, Turbidity, and Total Dissolved Solids.**

4. In addition to the requirements of (1) and (2) above, discharges to ocean waters must submit certified analytical results of a representative sample of the effluent for the following: **Oil and Grease, Suspended Solids, Settleable Solids, Turbidity, pH, and Acute Toxicity**
  5. In addition to the requirements of (1), (2), and (4) above, flow through seawater systems with potential to contain fecal pollution must submit certified analytical results of a representative sample of the effluent for **Total Coliform**.
  6. Certified analytical results of a representative sample of the receiving surface water at a point 50 feet upstream and 50 feet downstream from the point of discharge into the receiving water, or if access is limited, at the first point upstream and downstream which is accessible for the following constituents: **pH, temperature, color, turbidity, and dissolved oxygen**.
  7. If the reasonable potential analysis in Section 1.3 of the State Implementation Policy would require effluent limits for any applicable water quality criteria, then the Discharger is required to obtain coverage under an individual permit or coverage by a different general NPDES permit.
2. If the Discharger is seeking an exception under Section 5.3 of the

State Implementation Plan, the Discharger shall submit to the Executive Officer for approval<sup>D</sup>:

- a. A detailed description of the proposed action (i.e., draining water supply pipes, cleaning or maintenance of storm water conveyance systems, water supply well purging, etc.), including the proposed method of completing the action;
- b. A time schedule;
- c. A discharge and receiving water quality monitoring plan (before project initiation, during the project, and after project completion, with the appropriate quality assurance and quality control procedures);
- d. CEQA documentation;
- e. Contingency plans;
- f. Identification of alternate water supply (if needed);
- g. Residual waste disposal plans;
- h. Evidence that the Discharger has notified potentially affected public and governmental agencies of the project.
- i. Upon completion of the project, the discharger shall provide certification by a qualified biologist that the receiving water beneficial uses have been restored.

3. The Discharger, upon request, submits any additional information the Board determines is necessary to ascertain whether the discharge meets criteria for authorization under this permit.
  4. If the Discharger discharges wastewater to or from property not owned, leased, or rented by the Discharger, then a letter, signed by the property owner, authorizing the discharge of wastewater to or from his/her property shall be kept with the General Permit (See Standard Provision G.2), where it will be available to operating personnel. If the discharge is to a storm water conveyance system, then notification must be sent to the owner of the storm water conveyance system.
  5. If the discharge exceeds 0.3 MGD and is longer than 6 months in duration or if the discharge qualifies for a State Implementation Policy Categorical Exception then, the Discharger shall submit a Contingency Plan to immediately address violations or threatened violations of water quality standards (as described in G.4 below).
  6. After submittal of an NOI and first annual fee, the Discharger will receive one of the following:
    - a. written authorization and effective date of permit coverage;
    - b. request to submit an application and consideration for coverage under another general or individual permit; or
    - c. written notification of exclusion (NOE) of enrollment under this General Permit.
  7. In no case may the discharge occur until the applicant receives written confirmation of enrollment.
  8. Authorization to discharge under this general NPDES permit shall terminate upon receipt of an NOE or adoption of an individual permit or coverage by a different general NPDES permit.
  9. As of the effective date of Order No. R3-2006-0063, Dischargers covered under Order No. 01-119 shall be enrolled under Order No. R3-2006-0063. Such Dischargers must comply with all requirements of Order No. R3-2006-0063 beginning with the effective date.
- B. DISCHARGE PROHIBITIONS**
1. The discharge of any waste at a location or in a manner different from that described in the approved NOI or regulated by this General Permit is prohibited.
  2. Discharge of waste that creates conditions of pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code is prohibited.
  3. Discharge containing concentrations of pollutants in excess of applicable water quality objectives is prohibited.
  4. Discharge containing substances in concentrations toxic to human,

- animal, plant, or aquatic life is prohibited.<sup>A</sup>
5. Discharge of contaminated ground water is prohibited.
  6. Discharge to an Area of Special Biological Significance, unless in compliance with the California Ocean Plan, is prohibited.
  7. The discharge shall cause no scouring or erosion at the point of discharge into the receiving waters.
- d. Significantly decrease the natural light to aquatic life.
  - e. Result in aesthetically undesirable discoloration of the water surface.
4. If the discharge qualifies for a categorical exception to provisions stated in the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy) as stated in Finding No. 6 then the discharge shall meet California Department of Health Services (DHS) Maximum Contaminant Levels (MCLs) for drinking water for protection of human health.<sup>D</sup>

### C. EFFLUENT LIMITATIONS<sup>1</sup>

1. Effluent shall not have detectable chlorine residual (greater than or equal to 0.02 mg/L).
2. Effluent shall not have measurable total dissolved solids greater than water quality objectives stated for general and specific inland water bodies and groundwater<sup>A</sup>.
3. Effluent shall not contain substances that:<sup>A</sup>
  - a. Float or become floatable upon discharge.
  - b. Form sediments that degrade aquatic life.
  - c. Accumulate to toxic levels in surface waters, sediments, or biota.
5. Effluent discharged to ocean waters shall not contain constituents in excess of the limits for the respective constituents shown in Table 3 below:<sup>C</sup>

**Table 3**  
**Discharge to Ocean Water Effluent**  
**Limits**

Constituent	Unit	Monthly (30-day avg.)	Weekly (7-day avg.)	Max
Oil and Grease	mg/L	25	40	75
Suspended Solids	mg/L	--	--	60
Settleable Solids	ml/L	1.0	1.5	3.0
Turbidity	NTU	75	100	225
PH	units	between 6.0 to 9.0 at all times		

NTU = Nephelometric Turbidity Units

<sup>1</sup> Compliance shall be determined at a point after exit of facility or site boundaries but before wastewater mixes with any receiving water (i.e., surface water or ocean water).

### D. RECEIVING WATER LIMITATIONS

The following narrative water quality objectives apply to all surface waters when surface waters are running, including wetlands, in the Central Coast Region. Receiving water quality is a result of many factors, some unrelated to the discharge. This permit considers these factors, and is designed to minimize the influence of the discharge in the receiving water.

The discharge shall not cause:

1. The following limits to be exceeded in the receiving water:<sup>A</sup>

**Table 4**  
**Discharge to Surface Waters and**  
**Wetlands Effluent Limits**

Constituent	Maximum or Range
<b>pH</b>	Between 7.0 and 8.3 at all times, and not changed more than 0.5 units. <sup>A</sup>
<b>Tem-perature</b>	Maximum increase of 5°F above natural receiving water temperature. <sup>A</sup>
<b>Color</b>	Maximum increase of 15 units, or 10% above natural background color, whichever is greater. <sup>A</sup>

2. **Turbidity:**

Where natural turbidity <sup>2</sup> is...	The turbidity shall not be increased more than...
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<sup>2</sup> "Natural Turbidity" shall be determined from receiving water samples taken upstream/upcurrent of the discharge point at a location free from controllable sources of pollution.

Where natural turbidity <sup>2</sup> is...	The turbidity shall not be increased more than...
less than 25 NTUs	5 NTUs
between 25 and 50 NTUs	20%
between 50 and 100 NTUs	10 NTUs
greater than 100 NTUs	10%

3. **Dissolved Oxygen** - Dissolved oxygen concentrations to be depressed below 7.0 mg/L or median values to fall below 85% of saturation.<sup>A</sup>
4. **Biostimulatory Substances** - Biostimulatory substances in concentrations that promote aquatic growths causing nuisance or adversely affecting beneficial uses.<sup>A</sup>
5. **Taste and Odor** - Taste or odor-producing substances in concentrations imparting undesirable tastes or odors to fish flesh or other edible products of aquatic origin, causing nuisance, or adversely affecting beneficial uses. <sup>A</sup>
6. **Oil and Grease** - Oils, greases, waxes, or other similar materials in concentrations resulting in a visible film or floating on the surface of the water or on objects in the water, causing nuisance, or otherwise adversely affecting beneficial uses.<sup>A</sup>
7. **Settleable Materials** - Settleable material in concentrations resulting in the deposition of material causing nuisance or adversely affecting beneficial uses.

8. **Floating Materials** - Floating material, including solids, liquids, foams, and scum, in concentrations causing nuisance or adversely affecting beneficial uses.<sup>A</sup>
9. **Suspended Materials** - Suspended material in concentrations causing nuisance or adversely affecting beneficial uses.<sup>A</sup>
10. **Toxicity** - Substances in concentrations toxic to human, plant, animal, or aquatic life, or produce detrimental physiological responses therein.<sup>A</sup>
11. **Radioactivity** - Radionuclides in concentrations deleterious to human, plant, animal or aquatic life; or result in the accumulation of radionuclides in the food web to an extent presenting a hazard to human, plant, animal or aquatic life.<sup>A</sup>
12. **Any Water Quality Standard Excursion** - The discharge shall not (a) cause, (b) have a reasonable potential to cause, or (c) contribute to an excursion above any applicable criterion or water quality objective for the receiving waters adopted by the Central Coast Water Board or the SWRCB or promulgated by USEPA pursuant to Section 303 of the CWA.

#### **E. GROUND WATER LIMITATIONS**

1. The discharge shall not cause constituent concentrations in the ground water downgradient of the disposal area to exceed water quality

objectives specified in the Basin Plan.<sup>A</sup>

2. The discharge shall not cause concentrations of chemicals and radionuclides in ground water to exceed primary and secondary drinking water limits set forth in Title 22 of the California Code of Regulations.<sup>A</sup>

#### **F. SOLID WASTE DISPOSAL**

1. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner consistent with Title 27 of the California Code of Regulations (CCR) and approved by the Central Coast Water Board Executive Officer.

#### **G. STANDARD PROVISIONS AND REPORTING REQUIREMENTS**

1. **Standard Provisions:** The Discharger shall comply with all Standard Provisions and Reporting Requirements for National Pollutant Discharge Elimination System Permits, included as Attachment E of this Order with the exception of A.16. Standard provision A.16 requires annual reports to be submitted on January 30 of each year. Annual reporting for this General Permit will occur as stated in Monitoring and Reporting Program No. R3-2006-0063.
2. The Discharger shall comply with Monitoring and Reporting Program No. R3-2006-0063, included as Attachment B of this General Permit,

and any revisions prescribed thereto by the Central Coast Water Board Executive Officer.

3. A copy of this General Permit shall be kept at the discharge facility for reference by operating personnel. Key operating and site management personnel shall be familiar with its contents.
4. If the discharge exceeds 0.3 MGD and is longer than 6 months in duration or if the discharge qualifies for a State Implementation Policy Categorical Exception then the Discharger shall develop a Contingency Plan. The Contingency Plan shall incorporate contingency measures to be implemented if the discharge violates water quality standards. Required information includes energy dissipation structures, erosion control measures, best management practices, and pollution prevention measures. In no case shall the discharge violate water quality standards or impair beneficial uses. The Water Board shall provide a public notice and comment period of at least 30 days, and the opportunity for interested persons to request a hearing, before approving the Contingency Plan.
5. In the event the Discharger wishes to terminate authorization under this General Permit, the Discharger shall submit a completed Notice of Termination or Transfer (NOT), included with this General Permit as Attachment C. Termination from coverage will occur on the date specified in the NOT, unless notified otherwise by the Water Board. All

discharges shall cease before the date of termination, and any discharges to surface waters on or after this date shall be considered in violation of the CWA unless covered by another NPDES permit.

6. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this General Permit by letter, a copy of which shall be immediately forwarded to the Board along with a completed NOT.
7. The Discharger shall take all reasonable steps to prevent any discharge in violation of this permit.<sup>B</sup>
8. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) to achieve compliance with this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this permit.<sup>B</sup>
9. The Discharger shall furnish the Central Coast Water Board, within a reasonable time, any information that the Water Board may request to determine compliance with this General Permit.

10. The Discharger shall allow the Central Coast Water Board or its authorized representatives to:<sup>B</sup>

- a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records pertinent to this permit are kept;
- b. Inspect and photograph any facilities, equipment (including monitoring and control equipment), practices, or operations pertinent to this permit;
- c. Have access to and copy any records pertinent to this permit; and
- d. Sample or monitor for the purposes of assuring permit compliance.

11. This permit is not transferable to any person except after notice to and approval by the Central Coast Water Board. The Water Board may require reissuance or modification of the permit conditions to change the name of the Discharger and incorporate such other requirements as may be necessary to protect water quality.

12. Monitoring results must be based on analyses conducted according to test procedures under 40 CFR Part 136, approved under 40 CFR Part 136, or authorized by the Central Coast Water Board Executive Officer.

13. All reports, NOI, other documents required by this permit, and other information requested by the Central Coast Water Board shall be signed by

a person described below or by a duly authorized representative of that person.<sup>B</sup>

a. For a corporation: by a responsible corporate officer such as: (a) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (b) any other person who performs similar policy or decision-making functions for the corporation; or (c) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a partnership or sole proprietorship: by a general partner or the proprietor.

c. For a municipal, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

14. Any person signing a document under Section G.13 of the General Permit makes the following certification, whether written or implied:<sup>B</sup>

"I certify under penalty of law this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the



information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

15. If the Discharger monitors any constituent more frequently than required by the permit, the monitoring results shall be submitted.<sup>B</sup>
16. The Discharger shall immediately report any non-compliance potentially endangering public health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written report shall also be submitted to the Central Coast Water Board Executive Officer within five (5) days of the time the Discharger becomes aware of the circumstances. The written report shall contain (1) a description of the non-compliance and its cause; (2) the period of non-compliance, including dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and (3) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the non-compliance.<sup>B</sup>
17. The Discharger shall report all instances of non-compliance not reported under Section G.16 of the General Permit at the time monitoring reports are submitted. The reports shall contain the information listed in Section G.16.<sup>B</sup>
18. The Discharger shall give notice to the Central Coast Water Board as soon as possible of any planned alterations to the permitted facility that may change the nature or concentration of pollutants in the discharge.<sup>B</sup>
19. Violations of this General Permit may result in enforcement actions pursued under the following or other applicable authorities:
  - a. The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of violation. Any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day for each violation, to imprisonment of not more than 1 year, or to both penalties. Higher penalties may be imposed for knowing violations and for repeat offenders. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided under the Clean Water Act.<sup>B</sup>
  - b. The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit

including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, by imprisonment for not more than six (6) months per violation, or by both.<sup>B</sup> Section 13387 of the California Water Code allows for fines up to \$25,000 per violation and imprisonment for up to two years after such violations.

- c. The Clean Water Act provides any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, by imprisonment for not more than 2 years, or by both. Higher penalties may be imposed for repeat offenders.

20. This General Permit expires on **December 1, 2011**. Those enrollees who are covered under this General Permit at the time of expiration will automatically be re-enrolled under the revised General Permit, unless a NOTT is submitted to terminate coverage.

I, **ROGER W. BRIGGS, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 1, 2006.

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Executive Officer